## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:22-cv-00170-MR-WCM

ERIC DEVON PARSONS	)	
Plaintiff,	) ) )	ORDER
v.	)	
UNITED COLLECTIONS BUREAU, INC. doing business as UCB, Inc.	)	
Defendant.	) ) )	

This matter is before the Court on Plaintiff's Motion for Judicial Settlement Conference (Doc. 22), by which Plaintiff requests that the Court direct the parties to participate in a judicial settlement conference. In support of the motion, Plaintiff states that "Defendant's attorney has failed to obtain settlement authority from his client or communicate Plaintiff's desire to settle the matter with Defendant" and that "Defendant's attorney's failure to obtain settlement authority is preventing the Parties from resolving this matter and causing unnecessary delay, costs, and expenses herein." Doc. 22 at 1.

The undersigned is not persuaded that, on the current record, judicial resources should be expended to conduct a judicial settlement conference in this matter.

On February 1, 2023, following an initial pretrial conference, a Pretrial

Order and Case Management Plan (Doc. 20) was entered. The Pretrial Order

directs the parties to engage in a mediated settlement conference by September

26, 2023. The parties are free to engage in settlement discussions and to

conduct mediation at any time, provided that a mediated settlement conference

is completed by the deadline set by the Pretrial Order.

Counsel's duty to convey settlement demands or offers is governed by the

Rules of Professional Conduct. However, the Court takes no position as to

whether the parties should resolve this litigation between themselves and, if

so, on what terms; those decisions are left to the parties' discretion (provided

again that they engage in mediation at least one time prior to the deadline set

by the Pretrial Order).

Accordingly, Plaintiff's Motion for Judicial Settlement Conference (Doc.

22) is **DENIED**.

It is so ordered.

Signed: February 7, 2023

W. Carleton Metcalf

United States Magistrate Judge